



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/10/97)

Do **NOT** use for expedited repeal or adoption

Agency: Department of Financial Institutions – Securities Division

Subject of possible rule making: Revisions to WAC 460-24A to implement a mandatory electronic filing for Investment Advisers and Investment Adviser Representatives using the Investment Adviser Registration Depository (IARD).

(a) Statutes authorizing the agency to adopt rules on this subject: RCW 21.20.050; 21.20.450

(b) Reasons why rules on this subject may be needed and what they might accomplish: See attached.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Securities and Exchange Commission (SEC) regulates federally registered Investment advisers. The SEC is proposing to make electronic filing on IARD mandatory for its registrants as well. (The proposing release can be found at <http://www.sec.gov/rules/proposed/34-42620.htm>.) In response, the North American Securities Administrators Association (NASAA) has drafted model rules, which are currently out for public comment, for use by states in adopting IARD. (The model rules can be found at <http://www.nasaa.org/bluesky/proposals/IARDModelRules.pdf>.) Any amendments proposed as part of this rule making are intended coordinate with the SEC and NASAA proposals.

(d) Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) It is intended that any rules adopted pursuant to this process will be consistent with the NASAA Model Rules discussed above, which are subject to public comment until August 21, 2000. The Securities Division will also solicit the comment of currently registered investment advisers and their representatives and other interested parties.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

William M. Beatty
Securities Division, Department of Financial Institutions
P.O. Box 9033
Olympia WA 98507-9033
(360)902-8760; Fax (360)704-6923
bbeatty@dfi.wa.gov
Securities Division Web Site: <http://www.wa.gov/dfi/securities>

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)

Deborah R. Bortner

SIGNATURE

TITLE

Securities Administrator

DATE